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MURDER OF CHARLES SOLLARS BY SAM AXTELL

by Ralph Lea and Nancy Lea Schmer

▲ *Charles Sollars, 1859-1911.*

Sam Axtell ▶

It was just after 10:00 a.m. on Friday morning of June 16, 1911 that a tragedy took place involving two well-known Lodi businessmen and the entire town. Samuel B. Axtell, editor of the *Lodi Sentinel*, followed Charles Sollars into the Lodi Garage, where Sollars was working on his automobile, and, without saying a word, fired three shots from a short distance. Two of the gunshots hit their mark. Charles Sollars died about 2:00 a.m. the following morning.

Sollars, with his wife Anna, lived in Lodi for a number of years, they had no children. He was fifty-two years of age and the owner of Sollars and Company, the Lodi Soda Works, Ice, Hay & Coal, and had an interest in the Yosemite Building at Stockton.

Axtell was born in Woodbridge and attended the Woodbridge College. He was married to Clara (Kettelman), and they had no children. Samuel's father, Silas Henry Axtell, native of New Jersey, settled in Woods Ferry in 1852 after service in the Mexican War. Silas planted orchard in the area, including the famous oversized fig tree.

Sam Axtell, as the *Lodi Sentinel* editor, took a strong stand for moral reform and helped to make Lodi dry (no liquor) on Sunday.

Saturday evening, June 10, 1911, two young ladies were using the auto of S.B. Axtell, though he was not with them. To avoid a collision with another vehicle, Miss Alva Johnson, who was operating the machine on Madison Street, turned it into the North Canal. Miss Johnson and Miss Genevieve McKinley were thrown into the water, but were not injured.

It was just a coincidence that both Mr. and Mrs. Charles Sollars were also in Stockton and came upon the scene of the accident of the two Lodi Emerson School teachers. They asked the Sollars not to say anything about

Lodi Garage (formerly Lillie Bros. Garage), located on Pine Street, where the shooting took place. ▲

▲ *West Elm Street area where both Axtell and Sollars lived.*

the accident to anyone, but Mrs. Sollars said, "It was bound to get in the newspaper." She also asked the girls "if they were alone."

On the following Monday, the *Stockton Record* carried a brief account of the accident. The next day, Tuesday, June 13, 1911, the *Stockton Mail* ran a front-page article with a large headline "That Joy Ride" and sub-title "Lodi School Trustees Will Go To Bottom of Axtell Auto Incident." The facts of the collision were published, plus added rumors of a sensational story. The Lodi school board was reported to be reviewing the matter, and if proved true, would create two vacancies in the Lodi schools.

Meantime, nothing of the accident was reported in the Lodi Sentinel until Thursday, June 15th, when an article about the Lodi school board meeting listed the teachers for the following year, including Miss Johnson and Miss McKinley. The end of the story mentioned the *Stockton Mail* piece and that the Lodi school board declared that there was absolutely no grounds for any unfavorable report. In the next issue of the *Stockton Mail*, proper corrections were made and a complete retraction indicating that enemies of Axtell had circulated the report.

Lodi's 1910 census showed 2,697 people living in the hamlet with dirt streets in most of the town and automobiles still scarce. The citizens knew most of the businessmen on sight and anyone on the streets was observed by others. This was proven at the trial later when thirty-five Lodi residents would testify as to when and where they had seen Sam Axtell on Friday, June 16th, 1911, between 7:30 and 10:00 a.m. Over ten people had observed Charles Sollars.

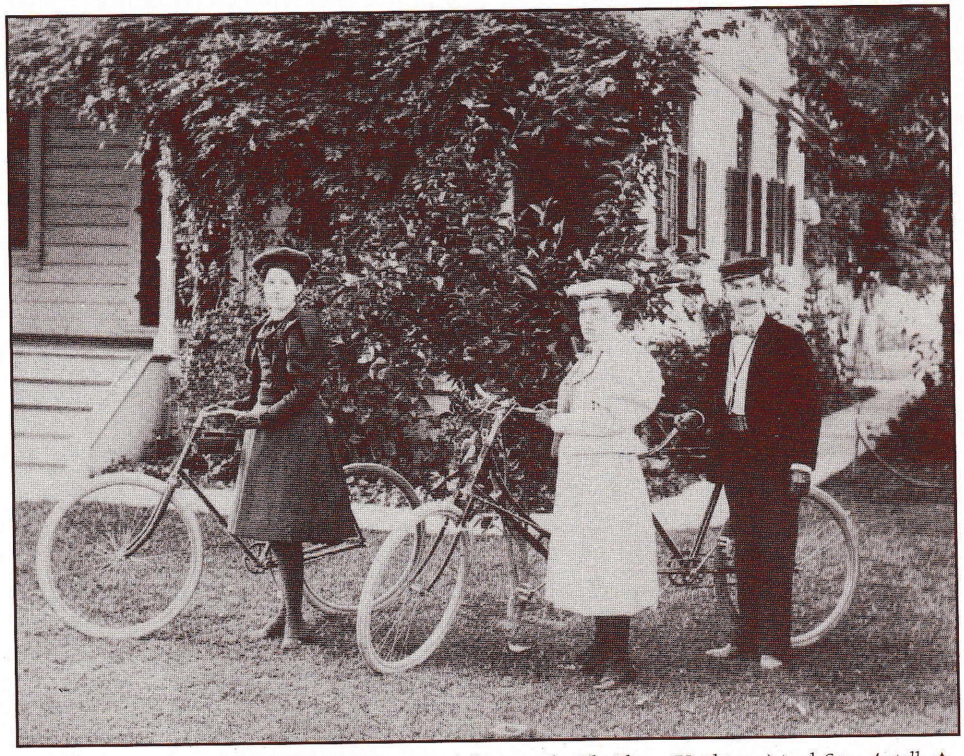
Both Sollars and Axtell lived on West Elm Street in Lodi. Sam and Clara Axtell were at 318 West Elm Street in the boarding house of Mrs. Asa Villinger. Charles and Anna Sollars were at 313 West Elm Street, almost across the street.

On the fateful morning, Sam Axtell, contrary to his usual custom, walked slowly past the Sollars home on the north side of Elm Street about 8:00 a.m. with his right hand across his coat and looking at the front door. Hilda Weber, employed at the Sollars home, was watering the porch plants at the time.

B.D. Swallow, bookkeeper for the First National Bank, saw Axtell a few doors west of the Sollars' house talking to Miss Ida Cove, about 8:00 a.m. Swallow had followed him east on Elm Street down to town many times, but had never seen him walk on the north side of Elm Street before.

Charles Ferdun, who resided at the Villinger home where Sam Axtell also lived, did not recall later that Axtell walked on the north side of Elm Street, but always on the south side.

Later in the morning, Axtell drove about Lodi in a new automobile, cov-



Ann Brewster (left), stayed with Clara (Kettleman) and Sam Axtell. ▲

Sacramento Street, between Elm and Oak Streets; the J.W. Sollars Company on the right. ▲

ering much of the same ground traveled by Sollars. In several cases, witnesses would later testify that Axtell was only a few minutes behind Sollars' car. Virgie Spencer, school girl, saw Mr. Axtell turn his car onto Lockeford Street while looking toward the Dougherty home.

A favorite observation was made by Mrs. J.L. Pickering. Mr. Sollars was in the Pickering's paint store about 9:30 a.m. and when he left, Mrs. Pickering decided to walk to the post office. On her way, Axtell drove slowly past her down Sacramento Street and she heard him say hello to Henry Ellis, who was standing on the sidewalk.

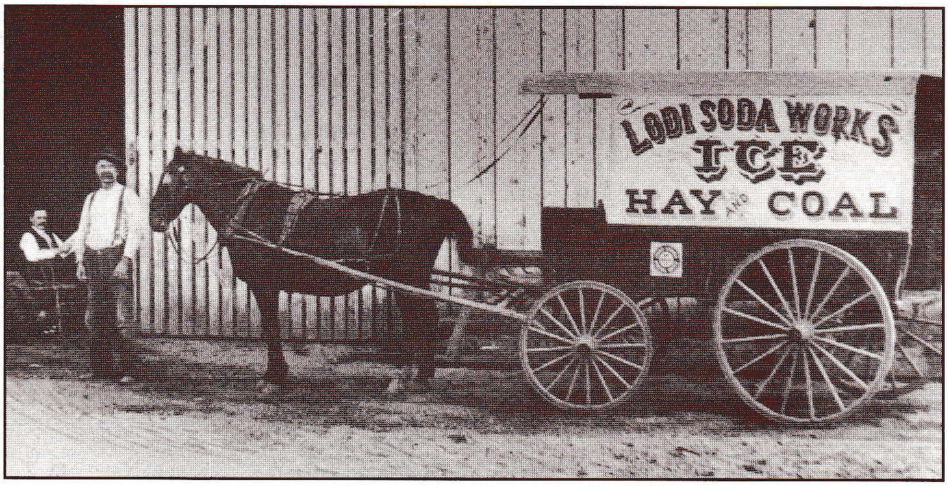
Robert Combs, saloonkeeper next to Lodi Hotel, saw Sam Axtell walk past his open door three or four different times that morning between 8:30 and 9:30 a.m. He would later say in court that Axtell may have passed the saloon as often on other days, but the shooting impressed his mind on the movements that particular morning.

George LeMoin met Axtell in front of Lodi Hotel a few minutes before the tragedy. W.H. Lorenz, banker, joined them as LeMoin told a funny story. While the trio was talking, Charles Sollars came down Sacramento Street and drove into the Lodi Garage, owned by A.W. Dawes. This was the old Lillie Garage, first garage in Lodi. One could enter from Pine or Sacramento streets.

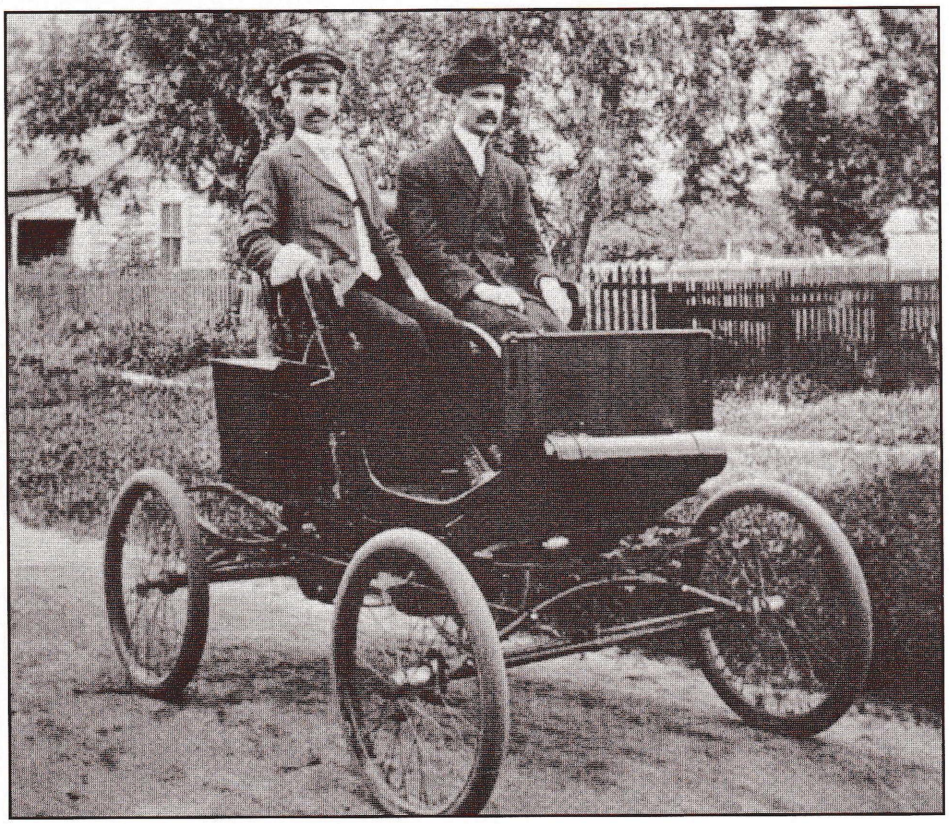
James W. Slayton was an eyewitness to the tragedy. He saw Sollars inside the Lodi Garage and desired to speak to him on a business matter. Sollars was bent over at work on his automobile. As Slayton neared Sollars, there was a loud report which he thought was caused by an explosion of the engine. He then saw Axtell with a revolver about six feet away, the gun leveled. Axtell fired another shot at Sollars, who exclaimed, "Oh my God, I'm killed!" Axtell said nothing and after the third shot, left the garage.

Soon after, LeMoin and Lorenz stopped Axtell. He said that he intended to give himself up and Officer Floyd was summoned. They went into the bank to call someone to go to Axtell's wife, so she would not be alone. Axtell then said that Sollars gave the story to the *Stockton Mail*, but LeMoin told him that Sollars didn't have anything to do with it.

Six more witnesses: Joseph A. Lyons, Leslie Rogers, Carrie Ellis,



1900; Charles Sollars (far left) and his Lodi Soda Works wagon. ▲



▲ *Sam Axtell and his brother, John D. Axtell.*

Henry Thompson, Vera Coleman, and Otto Koenig said that they had either seen Axtell on the street, or both Axtell and Sollars running from the garage.

Dr. J.E. Nelson, who was in the rear of the garage, corroborated Slayton's story.

Constable Floyd, friend of both Axtell and Sollars, made the arrest and drove Sam to the San Joaquin County jail. They first stopped at the Villinger house, where Axtell had lived, and then for lunch at the new Hotel Stockton before going to the Stockton Court House.

Four physicians made an attempt to save Charles Sollars' life. J.E. Nelson, A.M. Tower, S.W. Hopkins and J.D. Dameron operated, but were unable to save him. He died Saturday morning, June 17th, at 2:20 a.m.

The newspaper called it one of the largest funerals ever held in this county. The service was held on Monday at 2:00 p.m. at the Villinger residence, with Reverend R.H. Sink of the Congregational Church of Stockton officiating.

The funeral cortege was a very long and solemn procession to the Lodi Cemetery. The Masons took charge of the funeral at the grave, with the Knights of Pythias, Elks, and Eagles Lodges attending as one body.

All business houses in Lodi were closed from 1:45 until 4:00 p.m. on that day.

Active pallbearers were George E. Lawrence, Will Hughes, John S. Montgomery, John W. Dougherty, G.A. Gerlach, and George W. LeMoin. In addition, there were eighteen honorary pallbearers.

The shooting of Charles Sollars by Editor Axtell was reported on the second page of the *Lodi Sentinel* with a column of less than three inches on Saturday, June 17th. The front page was taken up with the high school graduation.

The next edition of the newspaper showed a change in the leadership. George H. Moore was the new editor, F.P. Roper, manager, and Eugene Austin was superintendent. On Wednesday, June 21st, it was announced that George H. Moore and F.P. Roper had purchased the *Lodi Sentinel*. When the Axtell trial started, the new owners assigned a special reporter to attend and complete accounts of the trial were published from day to day on the front page.

Samuel B. Axtell was charged with murder and his trial began in Stockton on October 24, 1911. Tuesday morning at 10:00 a.m., a panel of seventy-

▲ *Sacramento Street, circa 1900, looking north from Pine Street; Bank in center.*

George LeMoin, proprietor at left in lead gas buggy in front of the Lodi Hotel. ▲

five jurymen were drawn to select twelve men to hear evidence. Axtell retained attorneys George M. Steele and George F. McNoble to defend him.

In 1911, in order to serve on the jury, you had to be an adult male and own property in the county. The Lodi men who were called to serve, all knew one or both Axtell and Sollars.

Of the first seventy-five talesmen examined, only three accepted and on Monday, October 30th, one hundred new names were drawn for the Axtell jury. In the first group of men from throughout the whole county, only one, a Stockton carpenter, did not know Axtell or Sollars and had not read of the case.

Selection of the jury was a lengthy procedure, in part because of the notoriety that the shooting had received throughout the county. Also, because the defense indicated that they would plead "temporary insanity" and each juror had to be questioned as to their feelings on this subject and on the imposition of the death penalty. In all, 296 men were questioned before they were able to seat a jury of twelve, plus one alternate. It is interesting to note that one man, who had been accepted as a juror, had to be replaced when his daughter came down with scarlet fever and he was quarantined.

On Monday, November 6, 1911, the jury was completed and the prosecution under District Attorney Foltz was charging Axtell with the crime.

There were no Lodi men on the jury. Eight were from Stockton and one each from Bethany, Escalon, Farmington, and Waterloo. Six were farmers and the others were businessmen.

Seventy witnesses were called by the prosecution. These were the Lodi citizens who would testify to seeing Axtell follow Sollars around town during the morning before the shooting and to his action just afterward. Throughout the entire trial, there was never any question that Axtell had, premeditatedly, shot and killed Sollars.

Before the prosecution concluded its case on Saturday, November 11, 1911, Mrs. Ed Hutchins, the compositor for the *Lodi Sentinel*, produced a copy of the paper from June 2, 1900 containing a signed article by Axtell denouncing Sollars. It showed that enmity between S.B. Axtell and Charles Sollars did not start with the automobile accident on June 10, 1911.

The article was read to the jury. It seemed that Axtell took exception to the action of Sollars in inducing the Lodi school trustees to call a holiday for the purpose of having a picnic.

Sollars answered Axtell's letter in part, "I can't imagine what has come over the *Sentinel*, unless it is feeling sore because some of my printing was given to *The Herald*. Sammie should not feel bad about a little thing like that and at the new picnic, a glass of soda may set things right."

Excerpts from Axtell's reply followed, "So you were amused, never mind about the treats, Charley. All the soda you can make between now and the time Old Nick gets you on his toasting fork won't set things right for you in the community. As a matter of

fact, you deliberately lied to Trustee Anderson (James)."

Will Davis, the reporter of the *Stockton Mail* article "That Joy Ride" printed three days before the tragedy and referring to possible sensations, was asked at the trial by District Attorney Foltz if he received any information about the automobile accident from Charles Sollars. Davis replied, "Not a line, I never saw the man."

This concluded the prosecution's case. Axtell's defense would start the following morning, November 13, 1911, with fully fifty witnesses to be summoned.

The first witness, Doctor William Friedberger, San Joaquin County Health Officer, was asked if bullet wounds in the liver and abdomen were always fatal. Axtell's attorneys tried to show that Sollars did not die from gunshot wounds, but from the shock of the operation performed by the four surgeons trying to save his life.

Judge Norton ruled that if a wound is produced in a willful manner, then the party inflicting the injury is liable, not the surgery.

The defense tried something new in courts of the day by pleading Axtell was innocent by reason of insanity. One of Axtell's lawyers, George McNoble, stated in his opinion that Axtell was insane, mentally aberrant and irresponsible. Based on his intimate acquaintance with Axtell for twelve years, when Axtell was first seen after the tragedy, he was pale, trembling, and absent- minded.

District Attorney Foltz asked if there were any hallucinations, the reply was, "Yes, he thinks he is a great man and he has 150 neckties. Among us Lodi farmers, we think that is insanity."

George W. Moore said that Axtell always carried a pistol and kept ammunition in the office.

Doctors A.W. Hoisholt and J.D. Young of the Stockton Insane Asylum answered hypothetical questions about sanity. Both doctors said that Axtell was sane. Defense lawyer McNoble said that Doctor Hoisholt had been there so long that he himself was insane.

Mrs. Samuel B. Axtell took the stand on Wednesday afternoon and said that she had been ill for a long time and the two school teachers had been kind to her. She had told her husband to take them out riding in his automobile.

The witness also stated that Charles Ferdun, a relative, had declared in Axtell's presence that Charles Sollars was responsible for the so-called "joy ride" article.

The school teachers, Miss Genevieve McKinley and Miss Alva Johnson, testified that they had a written order for the machine for the purpose of going to Stockton to take Axtell to the Kettelman place where he would meet his wife. They had Mrs. Axtell believe that they were going to Stockton by train.

▲ *Charles Sollars' Soda Works truck.*

1898; Sentinel press room, Sam B. Axtell, Manager. ▲

Mrs. Asa Villinger had known Axtell as a boarder for two years and considered him a sane person because of his ability to converse with brightness upon all subjects.

A number of Lodi witnesses, including F.B. Whyers, Wilson H. Thompson, F.O. Hale, F.B. Mills, John H. Davies, John Emde, and James M. White, testified that they considered Axtell rational.

The prosecution commenced rebuttal of the insanity plea. They called to testify eleven Lodi men who knew Axtell in a fraternal, business, and/or social way, and in their opinion he was rational.

Doctor Mason, who had examined Axtell for life insurance on occasion, found him perfectly sound and healthy in every way.

Hilliard E. Welch said that, as one of a committee of five, he called upon Axtell in 1900 and asked him not to publish articles against Sollars.

Axtell took the stand in his own behalf for a few minutes on Thursday afternoon, November 18th. The defense announced that its case was complete.

On November 23rd, just before the noon hour, Mrs. Axtell broke down for the second time during the trial and Mrs. Belle Kolp, sister of Axtell, also gave way to long pent up emotions.

The case went to jury on November 25th at 4:20 p.m. By 8:30 p.m. on the same day, they arrived at a verdict that S.B. Axtell was guilty of murder in the first degree.

Judge Norton, at 10:00 a.m. Wednesday, November 30, sentenced S.B. Axtell to imprisonment for life at Folsom.

On December 5, 1911, S.B. Axtell was taken to Folsom to commence his life sentence. He was placed in the charge of Sheriff Reicks and Deputy Sheriff Hackett.

▲ *1895; Lodi Hotel, (l to r): Unknown, Ben Wallace, Bentley, Tom Wallace, G.W. LeMoin, Dick Russell, John Wallace, John Myers, Benedick, Williams, John Dady, Jim Anderson on bike, and William Sherry.*

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▶ *Bank of Lodi, 00 block of North Sacramento Street, looking north from Pine Street; circa 1910.*

It is not known how long Axtell may have been in Folsom, but he eventually was paroled. He returned to Lodi, sold his home and other property, and he and his wife moved to La Jolla. In 1921 the Axtells lived in Los Gatos, California. Mrs. Axtell's father, Dave Kettelman, died in 1911, shortly after Sam Axtell was sentenced to Folsom.

REFERENCES & CREDITS

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Interviews with Jean Kettelman and Fred Weybret, Chairman, Lodi News Sentinel

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